
If you believe you are eligible to vote and encounter difficulty registering, please contact the Elections Section of the South Dakota Secretary of State:

Capitol Building
500 East Capitol Avenue Ste 204
Pierre, SD 57501-5070
(605) 773-3537 (voice)
(605) 773-6580 (fax)

If the South Dakota Secretary of State is unable to help you, or to report a problem, contact:

U.S. Department of Justice - Civil Rights Division
950 Pennsylvania Avenue, NW
Voting Section, Rm. 7254 - NWB
Washington, D.C. 20530
(202) 307-2767 (voice)
(800) 253-3931 (toll-free)
(202) 307-3961 (fax)
www.usdoj.gov/crt

This pamphlet is provided for informational purposes only, as an aid to further inquiry. The laws in many states are revised frequently, and may have changed since this pamphlet was issued. It is your responsibility to determine whether you are lawfully eligible to vote, and criminal penalties can result from voting when ineligible or making false statements on a registration form.

Issued December, 2000

U.S. Department of Justice

Civil Rights Division



Restoring Your Right to Vote



The right to vote is an important civil right in a democracy as well as a civic responsibility, and yet many persons who have been convicted of a crime do not know whether they are eligible to vote. For both federal and state elections, the right to vote is controlled by the law of the state in which you live. Some states restrict the right to vote for persons who have been convicted of a crime. This pamphlet is intended to help you determine whether you are eligible to vote in the state in which you live, and if so, what steps you must take to be permitted to vote.

What law governs whether my felony conviction limits my right to vote?

The impact of a criminal conviction on the right to vote varies widely from state to state. Whether you can vote after being convicted of a crime is determined by the state in which you live, not the state in which you were convicted.

Can I vote while I'm incarcerated in South Dakota?

If you are a resident of South Dakota, you cannot vote while you are incarcerated as a result of a felony conviction. If you are a resident of another state who is temporarily incarcerated in South Dakota, you may be able to vote by absentee ballot in your home state. You need to consult the law of your home state regarding both criminal convictions and absentee ballots to see if this is a possibility.

I have been released from incarceration. How do I restore my right to vote?

In South Dakota, the right to vote is restored upon termination of your sentence. When your sentence has been fully discharged, including parole, you should receive a certificate from the Secretary of Corrections stating that you have been restored to the full rights of a citizen. The Secretary should file a copy of the certificate with the sentencing court. Once you have received this certificate, you can register to vote.

What happens if I move to another state?

If you move to another state, your right to vote will be controlled by the laws of that state.

What are South Dakota's other voter registration requirements?

To vote in South Dakota, you must

- be a United States citizen
- reside in South Dakota
- be at least 18 years old on or before the next election
- not be judged mentally incompetent by a court of law

When do I need to register to vote?

The deadline for registration is 15 days before any election. Your card must be received by the auditor by this deadline in order to vote in the next election.

Where do I go to register?

Registration is available at many places in South Dakota, including:

- County auditor's office
- City finance office
- Driver's license station
- Public assistance agencies providing food stamps, TANF or WIC
- Department of Human Services offices which provide assistance to the disabled
- Military recruitment offices

You can also register to vote through mail-in registration forms provided by the county auditor's office. Registration forms can be secured online at www.state.sd.us/sos/votreg.htm